

A VERY PLAIN  
STATE of the CASE,

OR

The ROYALTY THEATRE

VERSUS

The THEATRES ROYAL,

RESPECTFULLY INSCRIBED

To the RIGHT HONOURABLE

The *EARL of SALISBURY,*

LORD CHAMBERLAIN OF ENGLAND.

---

L O N D O N.

PRINTED FOR THE AUTHOR,

Sold by J. MURRAY, opposite ST. DUNSTON'S  
CHURCH, FLEET STREET.

MDCCLXXVII.

TO THE

RIGHT HONOURABLE

THE EARL OF SALISBURY,

LORD CHAMBERLAIN OF ENGLAND.

My Lord,

THE Lord Chamberlain of this kingdom is too intimately connected with the English Drama, and with every thing that relates to the character of the English stage, to be indifferent to so gross an attack as it has sustained by the late lawless attempt to break down the barrier which defends it from the disgrace with which it was overwhelmed before the present wholesale laws were framed for its regulation, and for the maintenance of its dignity, and for securing the property

---

TO THE  
RIGHT HONOURABLE

The EARL of SALISBURY,  
LORD CHAMBERLAIN of ENGLAND.

MY LORD,

THE Lord Chamberlain of this kingdom is too intimately connected with the English Drama, and with every thing that relates to the character of the British Stage, to be indifferent to so gross an attack as it has sustained by the late lawless attempt to break down the barrier which defends it from the disgrace with which it was overwhelmed before the present wholesome laws were framed for its regulation, and for the maintenance of its dignity, and for securing the property  
of

of its conductors. For this reason, and because it is universally known that your Lordship has its true interests much at heart, I do myself the honour to inscribe the following pages to your Lordship. The Legislature wisely foreseeing that particular circumstances might sometimes require a relaxation of the Laws enacted for general purposes, vested in the person of the Lord Chamberlain, a power of dispensing therewith, in certain cases, whenever he should find it proper; and while the high office is honoured by your Lordship's exercise of its privileges, there can be no reason to apprehend an abuse of its constitution. The licentiousness with which direct personal allusions, literal extracts from letters respecting a dispute they were themselves concerned in, and the many purposes of malicious, slanderous, and insolent insinuation, which have already been brought forward upon the Boards of the Royalty Theatre, sufficiently prove how little it is an

VERY A object



objects with their Authors and Managers of  
that undertaking to adhere to, or pay the  
least respect to the great purposes of the  
Drama; and to what vile uses a Theatre is  
likely to be applied which is not regulated  
by the Laws enacted for its support and  
welfare.

I have the Honour to be,

With unfeigned Respect,

My Lord,

Your Lordship's

Obedient Servant,

THE AUTHOR.

LONDON,

July 9, 1787.

which direct personal allusion is a dispute they  
tracts from letters respecting a dispute they  
were themselves concerned in, and the many  
purposes of malicious, dangerous, and insolent  
insinuation, which have already been brought  
forward upon the Boards of the Royalty  
Theatre, sufficiently prove how little it is an  
object

A VERY

of the ... and ...  
... to ... of ...

**A VERY RUIN**

... and to what ...

**STATE of the CASE**

... and ...

... to ...

... and ...

**T**he ... in the report  
and ... of the ... have  
with ... to ruin  
the ... from the  
original ... and well  
knowing that ...  
like ... in ... facts  
put down the ... can bring  
forward ... and ...  
appeal ... is made to the  
positions of the ... view to gain  
that ... on the ... and  
equality, which ... upon the justice  
of ... could never obtain them.

These ... Mr. Palmer ... as a ...

---

---

A VERY PLAIN

STATE of the CASE, &c.

**T**HE persons interested in the support and success of the Royalty Theatre, have with infinite address endeavoured to turn aside the attention of the public from the original merits of the undertaking; and well knowing that ground was not very tenable, like able advocates in a cause where facts bear down the best evidence they can bring forward, a warm, animated and pathetic appeal, however ill founded, is made to the passions of the Jury, with a view to gain that success on the ground of humanity and charity, which a dependence upon the justice of their cause could never obtain them. —

Hence “ Mr. Palmer struggles, as a tender  
B husband

husband and an affectionate parent, to provide for a numerous family, whose entire dependence is upon his honest exertions; hence the unparalleled cruelty with which he has been singled out the object of legal oppression; and hence the public, who are ever forward to relieve domestic woe, and to become the patrons of injured merit, were expected to have been caught by the device, and to have turned out the decided supporters of the laudable undertaking: but the public, who are sometimes very easily to be taken in, saw too plainly the stalking horse they were, in this instance, designed to be made of, and therefore, very ungratefully to be sure, disallowed the claim which disappointed folly had thought proper to make upon them.

The project having completely failed, there would be a degree of illiberality in following the unfortunate, if the general conduct of the business had not been prosecuted with a spirit of little low trick and cunning, of insolence, of unprovoked malice, and of direct personal slander, which calls for exposure, and ought not, in justice to the greatly injured, to be concealed.



To investigate the affair thoroughly, it may not be amiss to leave the Managers of the Patent Theatres out of the question a little, while the original undertaking is made the subject of enquiry; and I will venture to pronounce, that either the scheme was the most extravagantly absurd, preposterous, ridiculous speculation that ever was subscribed to, or the schemers mere impostors, in whom the truth is not. If facts do not confirm this, it will go for nothing.

The authors of the scheme, which was declared to have been from the first to perform plays and farces, either did imagine they were legally authorised to carry it into execution, or they knew they were not.

To set out with as much good manners as it is possible to attempt in such company, I will give (for argument's sake) credit to their own assertions, and for a moment admit to be true what Mr. Palmer advances in his address.

This Theatre was built under a letter of approbation from the Lord Lieutenant Governor of the Tower; and being situated in a Palace and Fortress, in a



district immediately within his jurisdiction, his consent, added to a licence obtained from the magistrates, authorising a place of public entertainment, were deemed legal authority.

It is needless, in this place, to quote the Acts, they have been too recently before the Public to make it necessary; equally so is it to say any thing about the probability or the improbability of Mr. Palmer and his friends in the concern, being very well acquainted with them. A shorter way presents itself, in the words of their own advocate, who says — "He had obtained the consent of the Magistrates of that district, therefore nothing from that quarter was to be expected, and though he evidently had an Act of Parliament directly in his teeth, &c."

His having secured the consent of the Magistrates, (who by the bye are the very people whose subscriptions built the house) is a most unquestionable proof that he knew the letter of approbation from the Lord Lieutenant of the Tower would not, nor could

a Review of the present Contest, &c.

not legally authorise such a place of public entertainment as they had planned; equally notorious is it, that they could not be ignorant of the insufficiency of the Magistrate's licence for the protection and support of the scheme; and the common sense which told them both were inadequate, told them likewise the one could derive no strength whatever from the other.

A report however has obtained, which is very generally credited, and has not been contradicted, that Lord Cornwallis by no means approved of the undertaking, and finding by the petitions the neighbouring parishes presented, praying the scheme might not be suffered to go on, that it was objected to even by those whose convenience was the pretence for the undertaking, he absolutely declared his resolution to oppose it. This intention of his Lordship could apply only to the establishing a Theatre, without any consideration of the particular entertainments meant to be exhibited; for his Lordship could not be so extremely uninformed as not to know that his official power was inadequate to the authorising performance

formance of Plays and Farces: The departure of Lord Cornwallis to his Oriental government, was highly favourable to the scheme; it opened a fine field for deception and imposition, and the use which has been made of his Lordship's name in the business, shews the parties were very well disposed to turn it to account. But whether this be so or not, admit or reject this circumstance relative to Lord Cornwallis's sentiments and intentions, take it in the most favourable point of view for the projectors, and it cannot but appear to have been the most extravagantly absurd, the most preposterous, and the most ridiculous speculation that ever was subscribed to. This is under the idea of their imagining that they had authority for what they were about.

But now, to take it the other way, which I believe will, by most people of discernment, be thought the right way of judging it, what are we to say of a set of Justices, with an Editor of a news-paper, and an eminent Actor, who in order to give a little colour to a business that would not very well bear the light, affect to believe what they

knew to be false, in order to establish a claim to the pity of the public, and to induce them to feel, that *though the poor proprietors have been mistaken as to the legality of their plan, it would be devilish hard for them not to be supported, after expending their ALL for our amusement, and therefore we must stick by them at all events?* I ask again, whether such is or is not the conduct of Impostors? And to shew why I believe that most people of discernment will think this the right light to view it in, I beg to offer a few observations.

From the parade of laying the first stone, the greatest mystery was maintained as to the nature of the authority that was to warrant the undertaking. To his brother performers, and his most intimate friends, Mr. Palmer always declined the question, by a most significant hint, that *there were reasons, and you must excuse me, &c.* What can speak plainer than this, that they knew they had no authority whatever to justify their proceeding? Nay, this same farcical mystery was kept up till a day or two before the Theatre opened, and Mr. QUICK was given to



to understand, that their authority was most unquestionable, that when it was produced it would utterly defeat the hopes of their opponents, but that *there were reasons of the greatest magnitude why it could not, might not be explained, no not even to him!* Depending upon this assertion, QUICK was firm to his engagement with them, nor did he relinquish it, till he found he had been tricked, duped and imposed upon from the beginning, and that the boasted legal authority, like the thousand pounds indemnification with which he was also amused, was a mere trick to deceive him, as the whole scheme was to deceive the Public. Does it then, or does it not appear, that they knew they had no sufficient authority for what they were about? If it does, read the paragraph I have quoted from Mr. Palmer's address and tell me how is their account to be settled with that Public they have so grossly insulted?

I now ask, can any thing be plainer than that the scheme was to preclude enquiry and to defy objection, by throwing a veil of mystery over the authority that was to sup-

port them, until such time as the building was finished, all the necessary expences incurred, and the door keepers ready to take the cash; and then, to put the best face they could upon things, to bully it out, if that was possible to be done; and if not, to raise a popular cry in their favour, by applying the most opprobrious epithets to whoever should (even in defence of their own property) venture to discountenance the scheme, depending for very warm support upon the effect which the embarkation of their *little all*, and the "*tender husband, the affectionate parent, and the numerous offspring*" would have upon the soft corner of John Bull's heart; but he, honest soul, having a little head as well as heart, was not to be caught in so very clumsy a trap, and so the bubble burst. This firm however of Palmer and Co. including so numerous a body of opulent and *trading* Justices, (and if this is not making a trade of their Magisterial power, I don't know what the devil is!) was not to be broken up, even if things so far did fail; no, no. The game was at any rate a very safe one, for in case they missed of the great

stake for which they played; there were other chances, which made the venture desirable, as even a Theatre for Burletta's, Interludes and Pantomimes, in a part of the town so distant from any other, and where there was so much Gallery company to be drawn in, would pay good interest for the money, and thus all would be well at the worst.

So much for the original scheme; and now for that part of its progress which is related to the attack upon the Managers of the established Theatres.

The Advertisement containing Extracts from the Acts, with Counsel's opinion thereon, was the first open declaration of the disposition intended to be maintained against the scheme. It was unequivocal and decided; it was in all respects proper according to the object in view. Whether that advertisement was inserted by or under the direction of the Magistrates or the Managers has not been explained. For the credit of the Commission, I should hope it is the former; if the latter, no man in his sense will argue for a moment that he would not

have done the same, had he an extensive property in either of the established Theatres. That is a point not to be contended; but it seems a plurality of opinions are entertained respecting the propriety of denouncing such resolution to hear the opening of the Theatre. To pursue this consideration, the argument requires that we admit the Advertisement to have come from the Managers. Much has been said about the want of liberality and fairness in not declaring their intentions before matters had gone so far; but very little indeed of that much would have been said, if those who made the observation had been acquainted with the cloud of concealment which put it out of every body's power to know, or even to guess, what Mr. Palmer's real intentions were. His most particular friends were quite in the dark about it. The common question wherever the topic was broached was, "Well, what do you think Palmer will do after all?" To which the common answer was, "That I believe nobody knows but himself!" And the as common observations were, "Why he holds out that he shall perform Plays and Farces,



and that such and such performers are engaged for that purpose, but, that cannot be the violation of property in the other Theatres, and the Act of Parliament for the protection of that property, will render it impossible, unless he gets an Act in his favour." Well, says one who knows him, "All I can say is, that he is very positive in his manner of speaking of it." "But has he said what his authority is to be?" "No, that he says to himself, and, no doubt, for some very sufficient reason." A general laugh, or a few significant hints at the absurdity of such holdings out, generally terminated the conversation; and theatrical people will ten to one bear me out in asserting, that where one person had an idea of Plays being acted at the Royalty Theatre, a hundred formed the opinion, as absurd, improbable, and ridiculous to the greatest degree. Under such circumstances then how could either of the three Managers attempt an interference in business every body but the conductors of it knew nothing at all about. Even admitting that they suspected it, the mere suspicion

would

\* The majority of the justices belonging to that division.

would not warrant their taking any measures. As Mr. Palmer thought proper to be so mysterious, it would have been impertinence in them to have tried to extort information; and the hardship he now complains of from their not declaring their sentiments sooner, comes with just as good a grace as the remonstrance of a Smuggler who had been suffered to build his cutter under the very Custom-house windows, without having the least notice given him of the officers intention to seize his property till the boat was finished, the cargo on board, and his little all, with the means for supporting his wife and rising progeny stowed in her hold. The laws against smuggling, and the laws for protecting Theatrical property, are so thoroughly well known and understood, as to leave the one character as well as the other without any reasonable plea of hard usage on that ground. The cases however differ in some respects, for it seldom happens I believe, that the officers of the Customs go snags with the smugglers in face of open day, whereas the Justices\* who rank on the one side as the Custom-house officers, do on the

\* The majority of the Justices belonging to that division.

the other, are the avowed aiders and abettors of the business from first to last.

An explanation of the finesse with which the managers were severally tricked into a tacit indifference as to what was going on in the East, will easily account for Mr. Colman's writing the lines so much dwelt upon in Mr. Palmer's benefit prologue, and for the non-interference of the winter managers, though here I should speak only of those belonging to Drury Lane. Mr. Harris I believe not having opportunities of conversing with him at all. To Mr. Colman it was seriously held out that the plan was to open only in the winter; to the others it was to be a summer scheme, and so the ball of deception was banded about. The first suspicion Mr. Colman had of its being a summer scheme, arose from Mr. Palmer's disinclination to sign articles for the present season; but as things were not ripe enough to justify his throwing off the mask entirely, he covered that with a very good grace by actually executing the agreement, trusting no doubt, to the penalty's never being enforced, on account of the illiberality of such a step.

step on Mr. Colman's part in the eye of the world; besides, if he did pursue it, to trial, the tale of domestic woe, and the loss of the *little all*, would, upon the susceptible hearts of an English jury, operate so as to bring down the damages to a very moderate amount. All this is in strict conformity with the original plan.

There is one circumstance in the carrying on of this contest which must not be overlooked, and that is the marked inveteracy with which Mr. Harris is singled out from the other two managers. The reason is obvious. The engagement at Drury Lane must not be given up, a little tenderness is therefore not altogether unnecessary there; and as the cards have gone, it will never do to prevent the possibility of a future summer's retreat behind the scenes of the Haymarket Theatre, too much violence must on the like account be avoided here too; but with the Covent Garden manager there are neither hopes nor fears to be entertained. At him without mercy! make him pay for all! charge, prime, present, fire, and away fly at his head all the little dirty malice, odious epithets,



epithets, unworthy insinuations, false suggestions, and downright personal insults that words can be made to convey.

There are few situations in life which does not expose a man to the making some enemies, be his general conduct ever so commendable; but a prime minister is not liable to make more enemies than the manager of a Theatre, and when once he can be brought out and set up as the mark to be peppered away at, egad they all let fly; envious and disappointed authors, ignorant and discarded actors; not a painter that can hold a brush, or a carpenter that can pull a rope in a pantomime, and has been refused such a situation as he conceits himself qualified for, but what at a moment like this will have his sling at the manager. Fortified with the best possible defence, the consciousness of having done and deserved well by the public, and proudly upheld by their unequivocal confirmation of his being entitled to that character; to such a man as Mr. Harris, these rifle shots are no more than pellets out of a pop-gun, deadened by the invulnerable resistance of a good name, and a standing

with

with the public not easily shaken; the shafts of petty malice are incapable of wounding, and disgrace only the archer that can basely seek gratification in selecting such a victim for his vengeance.

To stand forth the advocate of insulted character is a duty all good citizens owe to one another; and surely there never was an instance of such unprovoked, such malevolent, and such persecuting treatment, as in conformity with the abominable plan I have described, has been heaped upon this gentleman's shoulders. But he is in the hands of the public, a public that knows, that acknowledges his claim to their approbation, and are ready to testify their sense of his injuries. Specious and plausible was the trick to point him out as the oppressor, and Mr. Palmer as the oppressed; but the unqualified violence of the attack soon shewed who was the persecutor and who the persecuted, and the resentment it excited burns strongly in the breasts of the liberal-minded part of the public, who are not capriciously to be swayed from their experience, or so very easily to be made the tools of an artful and designing party.

party. I advance nothing more than those who know him best will proclaim him to be well deserving of; and I am induced to deal forth so much in his commendation, because he, for no reason whatever but that of aiming to protect his own property in a lawful way, has been treated with insults that could be merited only by the common plunderer of another's property and the infamous assassin of another's character. Were Mr. Palmer a proprietor of either of the winter Theatres, would he tamely sit still and suffer so bold an attempt to be practised to his prejudice, without at least striving to oppose it? Were he to answer the question in the negative, would any one believe him?

But the fact respecting the opposition I find extremely different from what has been understood. It is not the Managers of the Theatres, but the Magistracy in the exercise of their proper duty, and influenced by the interposition of the highest authority of the government. Never was authority exerted with greater propriety; never

the Public more sensible of it. Had the then Secretary of State pushed on the County Justices, and those of Westminster, at the commencement of Lord George Gordon's affair, as Lord Sydney has done in a very timely, and a very proper way in this, the laws of the country had not been trod under foot, nor the dreadful consequences have followed which the supineness of the civil power gave way to at that unhappy period. It is only by an early interference in support of violated laws that effect can be given to the object in view. Had the Welleclose-Square scheme been suffered to rear its head, we should, by degrees, have had similar excesses disgracing the Drama in every part of the town; their numbers would have prevented their success, and the ruin of all would have been the consequence. That two Theatres in winter, and one in the summer, are as many as the town with all the influx of strangers can support, is verified in Mr. Harris's not even making use of the dormant Patent he is possessed of. The Public know this, and naturally ask, Why then should an ill-judged scheme be coun-



enhanced for the ideal benefit of one, when the probability is, that it would bring about the ruin of all?

The indecency, the inconsistency, and the extreme cruelty of dragging forth Mr. Harris before the Public, not merely as the only opposer of Mr. Palmer's views, but as a premeditated enemy to his success in life, and an active foe to the prosperity of his family, has not only been universally reprobated, but with the general execration such infamous arts deserve, it has been very sufficiently branded by most of the writers in the public papers, both favourers and opposers of the Royalty Theatre scheme.

Men capable of such illiberal conduct, and who can be so regardless of the consequences that seldom fail to follow, are of too desperate a description to hesitate about any further measures, however violent or however dangerous, that may afford them the most distant gleam of hope, either to carry their own point, or to oppress, injure, and distress the marked objects of their malice. Much therefore is yet to be expected from them.

Petition

Petitions to Parliament, praying for authority to carry their plan into execution will, no doubt, be hawked about for signature, and presented with as many names as the Eastern part of the town can be supposed to lodge. The idea of acquiring popularity themselves, by depriving the other managers of it, will unquestionably be followed up by every art that can be devised. Much has already been done, though happily without effect, to stir up in the public a disposition to mark an attachment to the new theatre by testimonies of their resentment to the managers of the old; and as the game has been played so as to make all the acrimony that can be excited, centre in its application to Mr. Harris only, (and that for the reasons I have before described) the evident object is to excite a disturbance at the opening of his theatre, and to work about an injury to his property by the consequence of a riot. With the public on his side, however, Mr. Harris has nothing of that kind to dread: serious indeed would be the consequences to Mr. Palmer, and to those who depend upon him for subsistence, if such an attempt was

to

to be carried into execution; for the bold and unqualified steps he has taken in the face of open day, to bring about such an event, by various other means as well as by the strong points to that end in his public address, would place him in a situation to experience, in a severer degree than perhaps has ever yet been felt, the force of that justice which an appeal, from an individual so grossly injured, to the decision of an English jury, could not fail to draw down upon him.

Such are the circumstances of the extraordinary case I have undertaken to state, and agreeable to my undertaking I have stated them plainly. It was high time the veil should be removed, and the generous public, who had discernment enough to preserve them from being dupes to the scheme, fully informed of its extent. They will decide for themselves; and it is upon the general rectitude and the justice of their decision, that Mr. Harris is to look up for protection against the most impudent and the most unprovoked attack upon character that ever was attempted.

Standing

Standing forward the ostensible chief in the conduct of this business, Mr. Palmer must of course receive and suffer the greatest part of the odium which accompanies it; but those who know him, know that had his been the conduct and the rule, such ill-liberality would never have marked the progress of the scheme; and here the line must be drawn. In the folly of the undertaking, he no doubt had his share, but he surrendered the management of it to one who is confessedly better informed, and more equal to the task, had he kept within the proper line; thereby he has suffered himself to become the dupe of a Viper, whose venomous sting has darted its poison with too much effect on former occasions, which the Public are very well acquainted with, and who in this instance, by acting under cover of another person's name, has given him heavy cause to repent the dependence that has been placed upon him. The man however who adopts an error, makes it his own; and it remains for Mr. Palmer to stem the torrent of reprehension he has brought upon himself, as well as he can, having at least the

*pity*



of the Public for the consequences of his inconsiderate conduct.

What further remains to be said on the subject, may be more satisfactorily offered by way of reply to, or remark upon, certain passages in the Pamphlet published in favour of the Royalty Theatre and its conductors, under the title of "A Review of the present Contest between the Managers, &c."

"And being himself well convinced of the probability of success in the undertaking, embarked his all in the project."

*Vide A Review, &c.*

No doubt, a very considerable sum, with which the fifteen and thirty thousand pounds shares of the established Theatres, which were purchased under the protection and security of Acts of Parliament, bear no Proportion.

"With a very laudable motive, that of the prosperity of a large family."

*Ibid.*

To

To the charitable and humane, and those  
whom Providence has blest with affluence!

The humble Petition—

Pity the poor distressed—

!!!

"How far the proprietors of this under-  
taking acted consistent with prudence, in  
not resting themselves secure from legal  
inquisition, appears to be a subject for  
much argumentation."

Ibid.

Not at all. The thing speaks for itself.  
Read the foregoing pages.

"Where a large concern is in agitation,  
enemies will sometimes arise, and from a  
knowledge of the parties not having em-  
barked any part of their property, will  
not scruple to overturn a system then in  
embryo; whereas, had they almost per-  
fected their plan, those opposers to the  
undertaking would, if they were men of  
any feeling, have some consideration to  
the loss that would be sustained by the

E

"non-

"non-perfecting the undertaking. These  
 "considerations, I am persuaded, acted very  
 "powerfully with the proprietors of the  
 "Royalty Theatre, and with a great deal of  
 "reason."

Cunning rogues! But John Bull was not  
 quite so soft as they suspected.

"Most probably, had they endeavoured  
 "to procure a parliamentary sanction, pre-  
 "ceding the commencement of their struc-  
 "ture, the bill would have been opposed  
 "under the idea of there being too many  
 "places of public amusement already, which  
 "supposition has been so often brought for-  
 "ward against the further licensing dra-  
 "matic exhibitions."

The idea is perfectly right, and have  
 so contemptuous an opinion of Parliament  
 as to imagine it is to be wrought upon by  
 shallow a device, so very a trick as this  
 What, the structure is raised, and therefore  
 a licence must be granted? Good.

But also, that a great number of taverns and disorderly houses are immediately set up in the neighbourhood of the Theatre, and with a great deal of

Taverns and disorderly houses are already set up, and picking pockets, with every species of prostitution and inferior depredation, practised in a more open way than ever was known before. The principle of the undertaking being to let the laws at defiance, it is understood to be as much one man's right to do to as another's, and the lawless of every description throng to the standard.

Mr. Palmer had nothing to fear from any body of people existing, except the Managers.

It was the business of every man who had the success of the Drama at heart, to check such an usurpation without delay.

Mr. Palmer, I have no doubt, thought it would be consistent with prudence to sustain the injury which must follow in



the consequence of his alienation from the  
 Haymarket theatre, for a more substantial  
 benefit." *Ibid.*  
 on *Wid. page 14 of this work.*

"Mr. Palmer must have been well ac-  
 quainted with the acts then in force."

What pretence then has he for proceeding  
 as he has done, in utter contempt of those  
 acts?

Mr. Quick complains of Mr. Palmer  
 having thrown out false colours to the  
 performers who engaged under his ban-  
 ners, by asserting that he had a legal  
 sanction for the establishment of his thea-  
 tre, when he had no such sanction; cer-  
 tainly Mr. Palmer is culpable for keeping  
 the performers in the dark respecting their  
 situation, for by that means they were  
 about to perform under the idea of a legal  
 sanction, when they were subject to the  
 act for the punishment of vagrants; but

" ne

"nevertheless, it must be acknowledged,  
 "though not strictly justifiable in Mr. Pal-  
 "mer, with respect to the performers, that  
 "it was *sound policy* as a General, to keep  
 "the enemy in the dark, with respect to  
 "the weakness of his ammunition."

Ibid.

"Sound policy?" rank deceit, treachery  
 and imposition! but such being the foun-  
 dation of the scheme, 'tis no wonder a simi-  
 lar conduct was deemed necessary to the  
 carrying it on.

"Mr. Palmer has done what will ever  
 raise him in the opinion of the Pub-  
 lic, having not only contributed the pro-  
 fits of the first night of his performance  
 to the London Hospital, but has gener-  
 ally offered one night for their benefit  
 every successive season of his representa-  
 tion."

Ibid.

And so in giving away what he could not  
 keep, without a certainty of being sent to  
 Bridewell, or paying penalties greatly be-  
 yond

they already too much possess, and induce  
him to do what will ever raise  
him in the opinion of the Public! Well  
said Mountbank! Andrew, where are you  
now? I am at a General Assembly.

But it is not my intention, by any  
means, to countenance the performances  
of an Astley, a Hughes, a Jones, a Sad-  
ler's Wells, —

Or a Palmer, the Gentleman may now  
add, as the performances of the Royalty  
Theatre are exactly upon the same plan.

Or any other of those promoters of  
not only ribaldry and non-sense, but im-  
morality: these exhibitions, I will ven-  
ture to affirm, are a disgrace to the Ma-  
gistrates who suffer them; they have no  
one object in view, which can be com-  
mended, or even passed over with silence;  
they are relaxations from business without  
any attention to rationality, but they ra-  
ther disorder the minds of the lower class  
of people, encourage that weakness which

they

"they already too much possess, and induce them to follow the footsteps of idleness, with unwearied industry (say the Critics, leave, no paradox), rather than those of industry herself."

Ibid.

Perfectly right, perfectly right throughout the whole of this paragraph. How then shall the Magistrates justify the establishing such a nursery for "ribaldry, nonsense, idleness, and immorality?"

"In how different a light must the conduct of Mr. Palmer be viewed, who nobly, as he really could have no interested views at heart, promised to allow each of the performers, who enlisted under his banners, that they might not be left destitute, one half of the salaries for which they contracted."

Ibid.

Mountebank again! He knew the odds against his being suffered to perform plays and farces, were, in young Philpot's words, all Lombard Street to an egg-shell, and therefore



therefore he engaged just such a company as would suit the business he expected to have for them. This being the case, his allowing them but half salary during the time he kept his doors shut, was a conduct that, after what the poor people had suffered, rather smack'd of a mean, pitiful, unfeeling narrowness, than of the liberality for which he has puffed himself off in such high sounding terms.

“ And if the Theatre should be hereafter  
 “ opened, should they in consequence of this  
 “ dispute, or from any unforeseen accident  
 “ that might happen, be of no service to  
 “ him in their capacity, they should each of  
 “ them receive the full salary for which  
 “ they originally agreed, during the re-  
 “ mainder of the season?”

Wonderful benevolence! knowing at the same time, that in a few days he should have to push them forward in his interludes, burlettas, and pantomimes. Or supposing that to be doubtful, how does so liberal an offer, which went to the maintenance and support

of

of a score or two of people, correspond with the exhausted finances of a man who had advanced his *little* all before, in Order to get the house ready, or with the provident duties of an affectionate father, to the numerous offspring, whose sole dependence was upon him for the bread they eat? But this is true mountebank again, than narrowness, he has putted himself off in such high sounding terms.

And if the Theatre should be hereafter opened, should they in consequence of this As the Author of the REVIEW has thought proper to make Mr. Palmer's address, and other literary productions on the subject, a part of his book, I hope I am not taking an improper liberty, seeing those articles thus before me, if I venture to animadvert a little upon them.

Wonderful benevolence! knowing at the same time that in a few days he should have "This Theatre was built under a Letter of approbation from the Lord-Lieutenant, Governor of the Tower; and, being situated in a Palace and Fortrefs, in a district

"immediately within his jurisdiction, his  
 "consent, added to a licence obtained from  
 "the magistrates, authorising a place of  
 "public entertainment, were deemed legal  
 "authority."

*Vide Mr. Palmer's Address.*

Read page 5 of this work.

"As Mr. Colman knew the plan I had  
 then in view, it was fair to conclude that  
 "he did not meditate an opposition."

Mr. Colman did *not* know the plan Mr.  
 Palmer had in view, he was tricked into a  
 belief that the plan was widely different.  
 Read page 14 of this work.

"Mr. Harris, the manager of Covent  
 "Garden Theatre, gave his consent in writ-  
 "ting, that Mr. Quick should be engaged  
 "there."

What a fuss has been made about Mr.  
 Harris's consent to Mr. Quick's engaging,  
 when we all know that his consent, or his  
 objecting,

objecting, could not influence Mr. Quick, or any other performer belonging to his Theatre, if not to disposed of their own accord. They have no occasion to consult Mr. Harris about any thing of the kind, from the closing of his Theatre one season, to the opening it another. If they do it at all, it must be a matter of courtesy; and it is as plain as the sun at noon day, that Mr. Harris, without adopting a language he had no right to use, and telling them they should not, did, from first to last, dissuade those who consulted him, from having any thing to do with so absurd an undertaking, telling them at the same time, that they were to do as they pleased, for he had no right to controul them one way or other. How then can this be construed into a consent?

"I have the satisfaction to find, that those three gentlemen are the only enemies to this undertaking."

*Ibid.*

Never more mistaken in your life, Mr. Palmer. The undertaking, almost as much



as the mode of carrying it on, is "scouted" in  
nine companies out of ten all the town  
over.

"For myself, I have embarked my all  
in this Theatre; persuaded, that under  
the sanction I obtained, it was perfectly  
legal."

As thoroughly persuaded of its legality as  
Lord George Gordon was of the constitu-  
tional right he had to assemble the mob that  
nearly reduced the metropolis to ashes,

In the event of it every thing dear to  
my family is involved.

To the charitable and humane, &c.

"I had promised a benefit play for the  
use of the London Hospital."

An attempt to obtain goods under false  
pretences.

"And

"And we hope that the Three Managers;  
"with the magistrate in their interest"

That magistrate had the unanimous thanks of all the Justices at the county meeting, for his proper conduct throughout the business, and for the praise-worthy zeal he had shewn to do his duty; while the same respectable meeting, and to their honour be it spoken, reprobated the conduct of the Justice who particularly countenanced the lawless scheme, and who in consequence of the galling lesson they gave him, absolutely committed all the performers (with whom he till then had gone on as a partner in the common cause) for three hours to the green-room. While such men are admitted to act in the commission of the peace it is no wonder men of character are so shy of the appointment. And let me here ask, under what pretence it is represented that the managers were the suppressors of the scheme? Who will now say that it was done by any other than the magistracy at large, not a busy individual, but the body of Justices of the Peace, who

at

at a county meeting were roused to a sense of their duty in defence of the laws, which were scarce ever before so flagrantly insulted?

"A combination being formed to oppress and ruin me."

Ibid.

Though Mr. Palmer here means indubiously to allude to the managers, the assertion can apply only to the justices, assembled at the county meeting. A poor wretch who for violating the laws of his country is placed at the bar of the Old Bailey, might say the very same of the Jury appointed to try him, and with just as much reason.

done

Mr. Harris's letter to Mr. Quick, is so much to the purpose, and it marks so sincere a regard for the stage in his arguments for preserving the respectability of the professors, that I should but ill shew my earnestness for the cause I have undertaken, if I were to pass it over without notice.

By this time, I suppose you all confess, (for it must always have been known) that nothing but an Act of Parliament can legalize its opening. Will you, one of the heads of a profession in itself as liberal as that of law, physic, or any other, degrade, vagabondize, and, as far as you are able, ruin all Theatrical Property, and in most certain consequence, all its dependants? Such must be our inevitable fate, when unprotected by legal monopoly, and Royal Parliamentary sanction.

Vide Mr. Harris's Letter.

It ever has been such when unprotected by legal monopoly, and will be again, should the time ever arrive when that monopoly is done



done away. Are those *friends* to the stage  
 then who cry out against the legal mono-  
 poly? No. Traitors to the constitution of  
 the drama, and underminers of the very  
 foundation upon which its success is so  
 proudly erected.

“ If Mr. Palmer can perform plays, &c.

“ &c. why not Mr. Hughes, Mr. Jones,

“ Mr. Aftley, and Sadler’s Wells, and Free-

“ mason’s Hall, &c.”

“ Why not indeed? ”

“ Depend on it, your plan leads to the

“ making an Actor and a Manager two of

“ the most delpicable characters in society:

“ —A Physician is a most honourable em-

“ ploy, but who more infamous than a

“ Mountebank? ”

“ Incontrovertibly so.

“ Your caution to me, about being the

“ single ostensible opposer of your scheme,

“ I take

“ as a

“ vision.”

done away. Are those friends to the stage  
"I take exceedingly kind, but you your-  
"self are an instance, that I have hitherto  
"not so acted."

*Ibid.*  
The only ostensible and the effectual op-  
posers of the scheme were the Magistrates,  
and well is it for the reputation of the Stage,  
that they have so acted.

"You know I have not *actively* opposed  
"you, nor any one of your Company, from  
"agreeing with the Proprietors of that  
"place."

*Ibid.*  
Why no, it would have been exercising a  
controul which while Covent Garden Theatre  
was shut up, he could not reconcile to the  
liberal principles which with the public has  
ever formed a leading feature of his cha-  
racter.

"At the same time, I feel it would be  
"disingenuous not to confess to you, that  
"my absolute inactivity arises from con-  
"viction,

“whatever, as to the complaint, that no  
“viction, that an attempt so palpably in the  
“face of all legal authority cannot succeed.”

Ibid.

Who, but the silly schemers of this ridiculous business, could even for a single moment imagine it would?

The grossness and impudence with which detached sentences of this letter were brought forward upon the public Stage, could be equalled only by the sufferance of the audience which permitted it to be done with impunity. But they knew where they were, and that accounts for it.

The unanswerable matter contained in the following appeal, as it goes so much stronger than any thing I can advance to the points it alludes to, must not be omitted.

“Mr. Harris thinks it would be an affront to the often experienced candour of the Public, to offer any thing more in proof, that the insinuation of duplicity on the part of Mr. Harris has no foundation

what-

“ whatever, as to the complaint, that no  
 “ notice was given during the building of  
 “ the Theatre. It may be asked, could it  
 “ be considered as incumbent on the Paten-  
 “ tees to lay down the law for Mr. Palmer?  
 “ In fact, the Acts of Parliament restraining  
 “ the performances of Plays, Interludes,  
 “ &c. &c. were notorious to Mr. Palmer,  
 “ and all concerned in theatrical representa-  
 “ tions. But Mr. Palmer uniformly, and  
 “ with the most solemn asseverations in-  
 “ sisted, he possessed a complete, though  
 “ concealed, legal right for theatrical per-  
 “ formances. Indeed, Mr. Palmer himself  
 “ acted inconsistently with his avowal, by  
 “ actually engaging himself in the begin-  
 “ ning of February to Mr. Colman, for his  
 “ regular performances during the whole of  
 “ the Season at the Haymarket Theatre,  
 “ though at the same time, he was by every  
 “ means engaging others to perform for him  
 “ in Wellclose-square. Still, however, this  
 “ firm language (of having legal authority)  
 “ he invariably held until Monday last,  
 “ when it appeared to Mr. Quick and others,  
 “ that he had none. To such hidden pre-  
 “ tended



tended authority, Mr. Harris could only  
 oppose his disbelief of the fact, and any  
 notice of such, his opinion, given for-  
 merly in writing to Mr. Palmer, must  
 have been ridiculous in the extreme. Mr.  
 Harris is much concerned, to be compelled  
 thus to obtrude himself on the public no-  
 tice, being conscious that the attacks of  
 falsehood and disappointed malevolence  
 are the most completely repelled by per-  
 fect silence and contempt; and this me-  
 thod, which he conceives to be most  
 consistent with the high respect and duty  
 he owes the public, he will most determi-  
 nately oppose to the calumny which he  
 must expect to incur upon this occasion.  
 Mr. Harris has too much regard for  
 the profession by which he lives, not to  
 feel with much concern the distresses that  
 must be endured by numbers of the drama's  
 dependants, who have relied on Mr. Pal-  
 mer's assurances for a subsistence for the  
 ensuing summer; he therefore gives this  
 public notice, that if those under the  
 above description can form such a company  
 as may be able to give any theatrical per-  
 formance

“ performance that may probably attract the  
 “ notice of the Public, sufficient to afford  
 “ them any relief in their present situation,  
 “ they are welcome to the free use of Co-  
 “ vent Garden, wardrobe, &c. &c. for  
 “ three nights, at any time that may be  
 “ most convenient to them, between the  
 “ present and the first of August next.”

Ibid.

In preserving the silence and contempt he  
 promised, he has acted with the greatest pro-  
 priety. His offer in behalf of the per-  
 formers Mr. Palmer had engaged could ori-  
 ginate only in a benevolent and good mind;  
 his guarding that offer by saying, that if they  
 could form such a company as might be able  
 to give a performance likely to attract the  
 notice of the public, &c. was perfectly con-  
 sistent with the respect he professes to have  
 for the public, as they could not be invited to  
 an exhibition of mummery, at Covent Gar-  
 den Theatre, without feeling that resent-  
 ment toward the responsible conductor of  
 the entertainments there, which in such a  
 case they would most certainly exercise.

The

The insolent air of the performers' advertisement in reply, was the very essence of ignorance, impudence, and ingratitude, and did Mr. Palmer (for suffering so barn-like a composition to appear) more injury with the public than he can possibly conceive. Somewhat of the same temper and stile is the composition signed "JOHN PALMER," and dated "Royalty Theatre, June 22, 1787." It however produced one good consequence, and that was the letter which three days after appeared in the Morning Chronicle, under the signature of WHITTINGTON, and which, to shew that I am not above following the example even of my adversary, where I think he is right, I will, like him, take the liberty of copying.

TO MR. PALMER,

*Manager of the Royalty Theatre.*

SIR,

"YOUR claim to the sympathy of the Public, is somewhat like that of an Hounslow collector; he, like you, only vio-

"lates

noting

"lates the laws of his country, and then,  
 "in mitigation of his fault, he pleads the  
 "wants of a numerous progeny. You,  
 "however, are the greater aggressor. The  
 "poor, misled and vitiated marauder has,  
 "perhaps, real poverty to encounter in ex-  
 "tenuation of his error; but you, Sir, on the  
 "contrary, with an income of upwards of  
 "a thousand a-year, to fly in the face of the  
 "laws of your country, and then to affect  
 "ignorance, is not only the grossest insult  
 "on the Public, but upon its legal repre-  
 "sentatives, the British legislature.

"The property of the three English thea-  
 "tres in this metropolis, is deemed to be  
 "as well secured by an express statute, as  
 "any chartered right in the kingdom. It  
 "is transferable, as all other landed secu-  
 "rities, upon the good faith of the English  
 "constitution. Those who choose either  
 "to embark their all, or a small por-  
 "tion of their fortunes, in these three le-  
 "galized theatres, do it like stock-holders,  
 "or land-holders, from a conscious opi-  
 "nion of their stability; and this opinion  
 "too is congenial to that true spirit of le-  
 gislation,



"regulation, which is always very wary how  
 "it infringes upon private property when it  
 "is fairly purchased. With equal justice, Sir, might you  
 "build upon another man's ground, and  
 "then insist, from your ignorance, or your  
 "large family, that you ought to be sup-  
 "ported by public sympathy in your illegal  
 "encroachment. Are you in want? Set  
 "forth a subscription, in addition to your  
 "large salary and your two yearly benefits.  
 "Your merit, like your family, is no doubt  
 "considerable: the town will feel for your  
 "embarrassments, and most likely subscribe  
 "towards your relief with their accustomed  
 "generosity. This will be acting like an  
 "honest though embarrassed citizen.  
 "But your present conduct is somewhat  
 "worse. By attempting to infringe upon  
 "the rights of others, you very much di-  
 "minish your own claims upon the purse  
 "of the public. To real distress it is ever  
 "open — even with fictitious distress it is  
 "seldom shut. But to the sturdy suppli-  
 "cant, who is fool-hardy enough to make  
 "an arrogant inroad on the laws of his  
 "country,

"country, and afterwards sue for its mercy;  
 "if the public purse be then opened, it must  
 "proceed from that sort of pity that is ex-  
 "cited by the infant settlers of South Wales.

"However, Sir, I really feel for your de-  
 "lusion, as it must, no doubt, involve you  
 "in some difficulties. But, for these you  
 "stand indebted only to your own injudi-  
 "cious friends, and your heated imagina-  
 "tion: you are neither injured by the pro-  
 "prietors of the theatres, nor by the pub-  
 "lic that fill them. An over-laudable and  
 "left-handed zeal for your own interest, at  
 "the expence of others, has hurried you  
 "into your present situation. Blame no  
 "one, Sir, but your own wise counsellors,  
 "and their most learned interpretations of  
 "a clear act of Parliament.

"Regain lost time and fortune, in place  
 "of continuing in your managerial fashi-  
 "on. Dream no longer of wielding by  
 "force and injustice the dramatic sceptre of  
 "the East, but return to your duty in the  
 "West, as an agreeable and useful perform-  
 "er, else you shall hear more from

WHITTINGTON.

H

The

The following CASE and OPINION will  
 shew the dangerous situation in which  
 the poor deluded people stand who are  
 now performing at the Royalty Theatre.

### STAGE ENTERTAINMENTS.

#### " CASE and OPINION."

**B**y the 10th of George, it is enacted,  
 that no person shall, for hire, gain,  
 or reward, act, represent, or perform, or  
 cause to be acted, &c. &c. any interlude,  
 tragedy, comedy, play, farce, or other  
 entertainment of the stage, except under  
 a Patent from the Crown, or a Licence  
 from the Lord Chamberlain, as by said  
 act is provided.

And by 26th Geo. II. c. 36. if any  
 house, room, garden, or other place kept  
 for dancing, music, or other entertain-  
 ment of the like kind, without a licence  
 obtained at the Michaelmas Quarter Ses-  
 sions, shall be deemed a disorderly house,

" &c.

" &c. and punishable as is therein mentioned.

" Are you of opinion, that by a licence under the 26th Geo. II. c. 36. the public performance of operas, burlettas, pantomimes, musical farces and entertainments of that nature can be supported without rendering the performers liable to the operation of 10th Geo. and 17th Geo. II.

" I am of opinion that no licence, under the 26th Geo. II. c. 36. can authorise the performance of any entertainment of the kind described in the query, and falling within the meaning of 10th Geo. and consequently, that the performers in such entertainments will be liable to be proceeded against, under the last-mentioned statute, and that of 17th Geo. II. I am well aware that the practice has been otherwise; but I have always thought it illegal.

" EDWARD BEARROFT.

" *Lincoln's Inn,*

" June 29, 1787.



For every performance they are all liable, from the Manager and *honest* Charles Banister down to Leoni's little Pupil, to a separate information, which will oblige them each to pay a penalty of 50*l*. for every offence, or to be imprisoned in Bridewell, for each offence, three months; and these informations may be lodged any time within six months from the day on which each offence was committed. The very little lenity to which Mr. Palmer is entitled by such a conduct as is explained in the foregoing sheets, or the performers by the impudent and ungrateful return they made to Mr. Harris's benevolent offer, need not be dwelt upon, it is sufficient for me to shew how much the managers have it in their power to resent the insults that have been heaped upon them, if such objects could for a moment be thought worth their resentment or further notice. But let the future conduct of the managers, respecting these performers and their chief be what it may, it is next to an impossibility for them to escape the punishment which the laws pronounce, for, without looking to the many Justices' runners,

whose

whose daily bread is purchased by their share of penalty incurred by the unfortunate, whom they inform against, it is not to be imagined that the numberless needy wretches about the metropolis, to whom a few pounds is so much an object, will suffer so inviting an opportunity of acquiring them to pass unembraced. The justices are obliged to take the informations from whoever shall come forward, and to levy the penalties. What then will be the probable situation of these poor people whenever the Theatre closes? What their continual and hourly apprehensions while it is open, and while every day augments the load of guilt which is to be expiated only at so severe a rate? Indeed, after the justices have been made so much a party in the affair, their characters are at stake, nor dare they suffer the law to sleep, and therefore, as is said to a criminal placed for trial at the Bar of the Old Bailey, I conclude with saying to the unhappy people belonging to the Royalty Theatre, **GOD SEND YOU A GOOD DELIVERANCE!** Manager, Actors, Actresses and all.

Here

Here I close my very plain state of the case. The public are to determine upon the merits of the cause. If I have departed from the truth, in any instance, I shall be contradicted; but so far as I have had to do with facts, there is little fear of that. The hurry in which I have been obliged to state the case, must be my apology for want of method, and correctness. Seeking neither fame or profit, as the writer, my sole object is to possess the Public of all the circumstances relating to this extraordinary business. I do it, not to promote the views, or to support the cause of any individual, or any set of men. I can receive no thanks from those I may be supposed to serve, because I will, if possible, remain unknown.

**T H E E N D,**

Here I close my very plain state of the case. The public are to determine upon the merits of the case. If I have departed from the truth, in any instance, I shall be contradicted; but so far as I have had to do with facts, there is little fear of that. The hurry in which I have been obliged to state the case, must be my apology for want of method, and correctness. **E R R A T A.**

Page 1, last line, for "Palmer," *read* Palmer's.

Page 4, fifth line from the bottom, after "Magistrate," *read* of that district.

Page 18, sixteenth line from the top, for "negative," *read* affirmative.



THE R. A. T. A.

and the first of the series, the first of the series.

and the first of the series, the first of the series.

and the first of the series, the first of the series.

and the first of the series, the first of the series.

and the first of the series, the first of the series.